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ABSTRACT

This booklet provides information on the rights of parents of handicapped children (according to both Illinois and national laws) and describes services required by law for the handicapped child and the necessary steps to obtain these services. Definitions of various mental, physical, and emotional handicaps are given according to legal guidelines. The legal rights and services covered in the booklet are: (1) free public school education, (2) tuition reimbursement for attendance at private schools, (3) individual care grants to those parents whose child is on a waiting list for a state institution, (4) vocational rehabilitation and training services, (5) public aid for individuals over 21, (6) social security benefits, and (7) income tax exemptions for expenses incurred. References to sources in the law for these rights and services are included. (ED)

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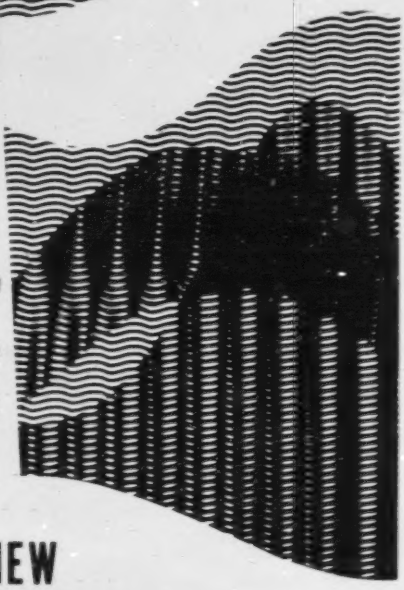

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YOUR RIGHTS AS PARENTS OF A HANDICAPPED CHILD

Fifth Edition - Special Revision

WRITTEN AND PREPARED BY:

James O. Crary, Psychologist, Chicago.

Mrs. Charlotte Des Jardins, Co-Ordinator, Co-Ordinating Council for Handicapped Children.

Mrs. Catherine Condon, VISTA Worker (Summer, 1969), Community Legal Counsel, Chicago.

ACKNOWLEDGEMENTS:

Mrs. Theresa Brozek, Parent; Co-Chairman, Co-Ordinating Council for Handicapped Children.

Vernon Frazee, Director of Special Education, State of Illinois, 1962-1968; Director, Niles Township Department of Special Education, Lincolnwood, Illinois.

William Itkin, President, Division of School Psychologists, American Psychological Association, 1966-1967; Chairman, Department of Special Education, Northeastern Illinois State College.

Sheldon Roodman, Attorney-at-Law, Community Legal Counsel, Chicago.

Roger Carlson, Cover Design.

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FOREWORD

This booklet has been prepared to inform you of your rights as parents of a handicapped child - specifically your right to:

1. a free public school education for your handicapped child, from 3 to 21 years of age. (Illinois residents only)

2. tuition reimbursement to a private school if your child is too severely handicapped for a public school special education program. (Illinois residents only)

3. an individual care grant from the Department of Mental Health to a private residential facility, if your child is on a waiting list for a state institution. (Illinois residents only)

4. vocational rehabilitation and training services, to prepare your handicapped child for employment. (available on a national basis)

5. public aid for your handicapped child if he is over 21. (Illinois residents only)

6. social security benefits for your handicapped child. (available on a national basis)

7. income tax exemptions for expenses incurred on behalf of your handicapped child. (available on a national basis)

It is our purpose to describe services required by law for your handicapped child - and the steps you must take to obtain these services. You may wish to know the specific part of the law used for information in this booklet. Therefore, we have included references for sources used in this booklet.

THE LAW AND THE HANDICAPPED CHILD

The Constitution of Illinois states: "The General Assembly shall provide ... free schools, whereby all children ... may receive a good common school education." The 14th Amendment to the United States Constitution calls for "equal protection of the laws" for all citizens. This means handicapped children are entitled to an education like other children. But some children have been excluded from school because they are handicapped.

A state law passed in 1965 requires all public schools in Illinois to provide special education programs for handicapped children. This law, popularly known as the Mandatory Special Education Act (HB 1407), is Article 14 of the Illinois School Code, and went into effect on July 1, 1969.

School districts were allowed four years - from 1965 to 1969 - to prepare for the education of handicapped children in the public schools. State funds are provided for teachers, school psychologists, and other special education personnel. But local schools have to pay approximately half of the cost of hiring these persons out of their own funds. Eighty percent of the cost of transporting each handicapped child to school is paid for by the State.

School districts also receive other funds for handicapped children. In addition to special education funds, every school district receives the same amount of money for each handicapped child that it receives for each non-handicapped child.

Another law provides special money from the State for school districts to build special classrooms or facilities, provided the school districts have levied a special tax for this purpose. Because the Chicago Board of Education is an appointed board, it cannot levy a tax. However, if the Board has set aside a like amount of money, it can also receive this same amount of money from the State (46).

There are some children - probably 5 per 1,000 - who are so handicapped that they cannot be served in public school special education programs. Another state law (HB 2671), which became effective in July, 1969, allows school districts to pay up to $2,000 tuition for these very severely handicapped children (44).

> No child can be excluded simply because he is handicapped. The School Code allows schools to suspend or expel children only for disobedience or misconduct.

WHO ARE HANDICAPPED CHILDREN?

Handicapped children include those who are physically disabled, have a partial or complete loss of sight or hearing, social or cultural problems, a serious learning disability, emotional problems, are mentally retarded, have a speech impairment - or any combination of these.

According to the Chicago Board of Education reports, approximately 12% of all school children are handicapped (47). This amount is about the same as a 10.7% estimate by the U. S. Office of Education (2). Thus, it is expected that there may be as many as 100,000 handicapped children in the city of Chicago, and an additional 40,000 in Chicago suburbs.

In order for the schools to realize that there are this many handicapped children, all parents must register their handicapped children in public school. This includes all children who have been excluded, and all handicapped children, 3 to 21 years old, who have never attended school.

The Law requires that the Board of Education must decide that your child is handicapped, and that he needs special education. There are definite steps that must be followed. They are:

1. Your child must be examined and diagnosed by a specialist - such as a doctor, psychologist, audio-

logist or other professional worker. The school may refer you to their own specialists employed by the Board of Education. Or, you may choose others who must be qualified, licensed specialists who meet State requirements.

2. The school personnel - which could be a special education administrator and a teacher or principal - must decide that your child is not doing as well as he should and is eligible for special education (45).

Step No. 2 is usually decided in a staff conference, which includes the persons involved in evaluation of your child. When the specialists cannot attend this meeting, the written report of their evaluation must be considered at the staff conference (45).

There are children who may be considered disabled, but not educationally handicapped. Some examples would be:

1. A child who has a hearing problem, but whose hearing aid allows him to hear as well as any other child, and who has not developed a significant speech or language problem.

2. A child who has a physical disability and who may not be able to walk or run like other children, but who can go to and from the classroom on his own and needs no special help.

3. A child who is blind in one eye but has "normal" vision in the other eye with the aid of glasses.

4. A child who has a severe emotional problem that may require a specialist outside of school, but which does not interfere with his learning or that of other students in the school.

There are many other handicapped children who may not need a special education program. It is your right - and it is to the advantage of your child - to see that he is not classified as having an educa-

tional handicap, if his handicap does not interfere with his schooling or that of other children.

PHYSICALLY HANDICAPPED CHILDREN IN SPECIAL CLASSROOMS

DEFINITION: Any physical condition, illness or injury from any cause may be a physical handicap - provided that the disability is such that it is impossible or impractical for the child to participate in a normal classroom for all or some activities (4).

Children who are mentally handicapped - in addition to their physical handicap - are eligible for special education as a multiple handicapped child, to be defined in the following section.

More typical physical handicaps are cerebral palsy, spina bifida, severe posture defects, arthritis, severe burns which physically cripple the child, muscular dystrophy.

ELIGIBILITY: A licensed medical doctor must certify that the child has a physical handicap which will prevent him from participating in all or part of the normal classroom activity. A psychological evaluation and case study is required (5).

RE-EVALUATION: Every child must be re-evaluated every two years, using current diagnostic reports (7).

CLASS SIZE: From 6 to 15 students may be enrolled in each class (8).

AGE RANGE: Age range is from 3 to 21 years of age(4).

HOME AND HOSPITAL CLASSES FOR PHYSICALLY HANDICAPPED CHILDREN

DEFINITION: Children who are confined to their home or in a hospital for a period of four or more

weeks are eligible for a minimum of five hours of instruction per week (9).

If a child is to be confined for a very long time, he may also be eligible for a telephone plan where he has contact with the classroom by phone. Under this plan, he must also receive two hours a week of instruction from a teacher (10).

Home and Hospital instruction may be provided in the summer for children who have missed a portion of the regular school year (11).

DEAF AND HARD OF HEARING

DEFINITION: While the word "deaf" probably means to most people lack of hearing, deafness is defined as a hearing loss which prevents a child from understanding language (the knowledge and use of words, not simply words poorly spoken) even with a hearing aid. Consequently, he requires special instruction (12).

DEFINITION - HARD-OF-HEARING: The loss of hearing is not as severe as that of a deaf child, but the loss still has interfered with his language development. Unless he receives special instruction for his language and school work, he will not be able to make full use of the regular school program (12).

ELIGIBILITY: An ear doctor (Otologist) must examine the child and recommend special education. The child must also receive a test of his hearing by a qualified specialist (Audiologist) working in an approved hearing clinic, and he must recommend special education (13).

RE-EVALUATION: The child must be re-examined and re-tested by specialists every two years (13). If a child who is enrolled in a program for the deaf or the hard-of-hearing is to be removed from the program - a consultant in the Office of State

Superintendent of Public Instruction must be notified to assist in educational follow-up (14).

CLASS SIZE: Classes for the Deaf range from 6 to 8 students (15).

Classes for the Hard-of-Hearing range from 10 to 12 students (15).

Pre-school classes for deaf or hard-of-hearing students may have not more than 10 children. A teacher of deaf children and a nursery-kindergarten teacher are both required in the pre-school program (15).

AGE RANGE: Age range is from 3 to 21 years of age (12).

BLIND AND PARTIALLY SEEING

DEFINITION - BLIND: The child's vision is so limited that he cannot use is as a means to learn. He may have some vision, and may see well enough to walk around without any difficulty - but it does not help him to learn, even from very large print (22).

As a result, he must learn everything through his hearing or sense of touch, and at times, through his sense of smell.

DEFINITION - PARTIALLY SEEING: The child's vision is usually no better than 20/70 in the better eye with glasses, but he can use his limited sight to learn with the assistance of a special tutor and special materials (19).

ELIGIBILITY: An annual examination by an eye specialist is required, with a recommendation for temporary or permanent special education services (17, 21). A psychological evaluation is not required, if the child is already in school, unless it is suspected that the child is also mentally retarded.

However, a psychological examination is required if a blind child has never been enrolled in school (21).

CLASS SIZE: Classes range from 5 to 14 for the partially seeing (18); and 5 to 14 for the blind (23).

AGE RANGE: Age range is 3 to 21 years of age (17,20).

READER SERVICE, LARGE TYPE BOOKS: If a school does not offer a special program for the partially sighted or is unable to arrange a program for a child, it may provide a special reader (a person who reads to the child) or over-size printing.

EDUCATIONALLY DISADVANTAGED (SOCIALLY MALADJUSTED)

DEFINITION: These children are referred to in many different ways. Some of them are: socially maladjusted, culturally deprived, or simply disadvantaged.

They are handicapped because of cultural deprivation, extreme poverty, frequent change in schools, or other similar reasons. They are well behind in school - and consequently need special instructions to "catch up" (26).

They are not truly mentally retarded, although they may appear so, when not carefully evaluated to determine their learning potential.

Under the State Rules and Regulations, this handicap is listed under the category of Maladjusted Children, Type a. This does not mean that these children are maladjusted in any way except that they are not doing well in school.

ELIGIBILITY: No one specialist is required to evaluate the child. A case study is required, which includes the recommendations of professional persons such as the teacher, social worker, psychologist, school nurse, or any one of these persons who know the child (27).

If the child has had any medical examinations or similar evaluations, their reports must be considered in the case study (27).

CLASS SIZE: Classes range up to 20 children for a special class, and up to 10 for a tutor (29).

RE-EVALUATION: Each child must re-evaluated every two years (28).

AGE RANGE: Age range is from 3 to 21 years of age (26).

EMOTIONAL PROBLEMS

DEFINITION: Some of the popular terms used are: emotionally disturbed, emotional disorders, nervous disorders, or simply disturbed.

These children are handicapped because of intense and persistent emotional problems which interfere with their school work or with the school work of their classmates (26).

A child could have emotional problems and also have a learning disability. The same child could also be educationally disadvantaged. Such a child would be eligible for the program which would meet his most pressing needs.

Under the State Rules and Regulations, this handicap is listed under the category of Maladjusted Children, Type c. This does not mean that these children are maladjusted in any way except that they are not doing well in school.

ELIGIBILITY: Psychiatric consultation is required. This does not require the psychiatrist to treat the child (27).

A case study is required, which includes the recommendations of professional persons such as the

teacher, social worker, psychologist, or any one of these persons who know the child (27).

If the child has had any medical or similar evaluations, their reports must be considered in the case study (27).

CLASS SIZE: No more than 8 children can be in each class. No more than 10 children can be assigned to a tutor. Children below age 10 may be placed in a special class. Above 10, they will receive tutoring (29).

RE-EVALUATION: Every child must be re-evaluated every two years (28).

AGE RANGE: Children from 3 to 21 years of age are eligible (26).

LEARNING DISABILITIES

DEFINITION: Children in this category are referred to in many terms. Some of the more frequently used are: learning disorders, perceptually handicapped, brain damaged, minimal brain dysfunction or dyslexia.

They are children who should be able to learn as well as average or near average ability children. But because of some specific learning problem, they are unable to do so. Sometimes, they may be found to have some brain disorder or dysfunction (26).

They may be inattentive because they cannot pay attention, or they may have given up because they have difficulty no matter how hard they try. They may be fidgety - either because they can't help it or because they have become tense from repeatedly failing.

But their difficulty is not due to mental retardation. The difference between a learning disability child and a mentally retarded child is that no mat-

ter how much help a retarded child gets, he will still not do as well as average or near average non-handicapped children.

ELIGIBILITY: No one specialist is required to evaluate the child. A case study is required, which includes the recommendations of professional persons such as the teacher, social worker, psychologist, school nurse, or any of these persons who know the child (27).

If the child has had any medical examinations or similar evaluations, their reports must be considered in the case study (27).

Contrary to popular opinion, neither the examination of a neurologist (brain specialist) nor an electroencephalogram (brain wave test) are required by State Rules and Regulations. Public schools may require medical examinations when indicated, but not specific tests (27).

CLASS SIZE: Classes range up to 10 children for a special class, and up to 10 for a tutor (29).

RE-EVALUATION: Each child must be re-evaluated every two years (28).

AGE RANGE: Children 3 to 21 years of age are eligible (26).

MENTALLY HANDICAPPED

DEFINITION - EDUCABLE MENTALLY HANDICAPPED (EMH): The EMH child is a mentally retarded child whose development has been delayed by any of a number of causes. A psychologist determines whether a child is retarded, using psychological tests. He is also required to consider information given by the child's parents about his physical and family background, and information about his school work (30, 42).

From all of this information, the psychologist must decide that the child does not have the mental abil-

ity to learn in a regular classroom, and that he needs a special program to learn (30).

The psychologist must also determine that the child is not simply behaving like a mentally retarded child because of cultural factors, learning disability, or severe emotional problems (Types a, b, c handicaps), or because of visual, hearing of physical handicap (42).

An educable mentally handicapped child usually doesn't begin to learn to read sooner than 8 years of age, and sometimes not until age 9 or 10. He may learn to read at a second to fifth grade level, depending upon his degree of mental retardation.

DEFINITION - TRAINABLE MENTALLY HANDICAPPED (TMH): The TMH child is more severely handicapped than the EMH child. But he can still benefit from a special program to train him to become socially adjusted and work in special employment. However, he may only be able to learn to take care of his own needs in his own home (33).

The TMH child usually doesn't learn to read more than a few words. But he may be able to learn how to do many things.

ELIGIBILITY: Eligibility is determined by a psychological evaluation and upon the recommendation of the psychologist (31, 34).

CLASS SIZE: EMH classes range from 10 to 15 children, for children who are over 9 years old. Classes may be as small as 8 students for children under 9 years of age (32).

TMH classes may have no more than 10 children unless the teacher has an assistant, in which case the enrollment may be up to 10 (35).

AGE RANGE: Children from 3 to 21 years of age are eligible for an EMH or TMH program (30, 33).

RE-EVALUATION: Children in EMH or TMH programs must be re-evaluated every 3 years (31, 34).

MULTIPLY HANDICAPPED

DEFINITION: A multiply-handicapped child has more than one handicap. He may be mentally retarded and physically handicapped. Or he may be hard-of-hearing and have emotional problems. Or he may be deaf and blind. He may be any combination of these, or have a combination of handicaps listed in previous parts of this booklet (38).

ELIGIBILITY: This is determined according to the provision of each of his handicaps (39).

CLASS SIZE: No more than 10 multiply-handicapped students are allowed per class (41).

RE-EVALUATION: Multiply-handicapped children must be re-evaluated every 2 years (40).

AGE RANGE: Children 3 to 21 years old are eligible for this program (38).

SPEECH CORRECTION

DEFINITION: A child needing speech correction is one who has any kind of speech defect which can be improved through a speech correction program (36).

ELIGIBILITY: Eligibility is determined by a qualified speech correctionist (36).

CLASS SIZE: There is no set rule. A speech correctionist may work with one or several children at the same time who have the same type of problem. Each child must be scheduled for at least two lessons per week, from 15 to 30 minutes each (42).

AGE RANGE: Children from 3 to 21 years of age are eligible (36).

SOCIAL WORK SERVICES

DEFINITION: A child who does not do well in school as a result of social or emotional problems may receive social work services (24).

Social work services consist of counseling for the child or his parents.

A child who needs this service may have behavior problems, be frequently truant, may have difficulty in making friends or be exceptionally shy.

ELIGIBILITY: The teacher, principal and social worker together decide if a child is eligible for social work services (25).

CLASS SIZE: Children receiving social work services are not placed in classrooms. They are served on a one-to-one basis or in small groups.

AGE RANGE: Children from 3 to 21 years of age are eligible (24).

HOW TO GET YOUR CHILD IN A SPECIAL EDUCATION PROGRAM

1. You must register your handicapped child at your local public school. You will be asked to fill out a form providing information about his handicap.

2. Next, check on the progress of your application.

   a. Ask your principal to refer your child for an evaluation by a school psychologist.

   b. After the evaluation, ask your principal if your child will be attending a special classroom in his school, or if he will be enrolled in a special program in another public school.

   c. If your principal cannot give you adequate information, contact your district super-

intendent. He is listed in the phone book under the Board of Education.

d. Next, try the Area Director of Pupil Personnel Services. In Chicago, they are:

South Side - Area A: Mrs. Edith Dolnick, 1750 E. 71st St. Phone: 955-0600

West Side - Area B: Mr. Henry Sansone, 4815 S. Karlov Ave. Phone: 254-8550

North Side - Area C: Mrs. Petra Harris, 5025 N. Laramie. Phone: 282-9272

Suburbs: Call the special education director of your school district or call Dr. Thomas Fengman, Special Education Director, Cook County Office of Public Instruction - 321-7617.

e. If you still have not received the information you want, call the Special Education Department of the Board of Education:

Mentally Handicapped:
Mrs. Bernice Goodwin - 641-4154.

Blind and Partially Seeing:
Miss Rosemary Welsch - 641-4154.

Deaf and Hard-of-Hearing:
Mrs. Edith Munson - 641-4154
Mrs. Nona Webb - 641-4154.

Orthopedically Handicapped:
Mrs. Dorothy Betts - 641-4154.

Home and Hospital Program:
Mrs. Dorothy Betts - 641-4154.

Brain Injured:
Dr. Carol Crotty - 641-4154.

Speech Correction:
Dr. Carol Crotty - 641-4154.

Socially Maladjusted:
Dr. Gilbert Derr - 641-3890.

Transportation:
Mr. Alfred Rudd - 641-4150.

OR
CALL

Miss Elberta Pruitt
Special Education Director
at 641-4138, 641-4139.

f. If you still have not received the information you need, call the Co-Ordinating Council for Handicapped Children, (312) 939-3513, (312) 684-5983.

HOW TO GET TUITION (REIMBURSEMENT) TO SEND YOUR CHILD TO A PRIVATE SCHOOL

If you are notified by the Board of Education that your child's handicap is so severe that he cannot be enrolled in any public school program, there is a state law (HB 2671) which allows the Board of Education to pay up to $2,000 a year to send him to a qualified private school. This school may be a day school or a residential school - in the State of Illinois, or in any other State. Transportation to day schools is also paid, but not to residential schools.

The Board of Education is reimbursed by the State for the tuition. The tuition is not paid to you but to the private school. To qualify:

1. You must register your child at your local public school.

2. Next, check on the progress of your application.

   a. Ask your principal to refer your child for an evaluation by a school psychologist.

   b. After the evaluation, the Board of Education has to determine that your child is too

severely handicapped to meet his needs in any public school special education program.

c. Your application must be approved by the State Office of Public Instruction, as well as the Board of Education of your local school district.

d. When your application has been approved, the school your child attends will receive the tuition reimbursement up to $2000 a year ($1400 of this amount comes from the state, $600 from the local school district).

e. If you have paid the private school for your child's tuition, the private school will reimburse you up to $2000 per year, from the date of your child's registration in the public school.

TRANSPORTATION TO PRIVATE SCHOOLS

A handicapped child who attends a private school is eligible for transportation paid for by the state (80 percent) and the local Board of Education (20 percent) if:

1. He is eligible for tuition reimbursement under HB 2671.

2. The Board of Education cannot provide the special education services he needs in a public school.

IF YOUR CHILD HAS NOT YET BEEN PLACED OR IF HE HAS BEEN MISPLACED

What can you do if your child is not receiving the special education services you feel he needs?

1. If your child is placed in what you believe to be the wrong program?

a. Ask the principal to have your child re-evaluated.

b. Ask specialists - doctors, psychologist, others - to send their recommendations to the Area Director of Pupil Personnel Services, see Page 15.

c. Contact the State Director of Special Education, Mr. David Donald, Office of the Superintendent of Public Instruction, Springfield, Ill. 62706 (Phone: Area Code 217, 525-6601 - and ask for his help.

2. If your child has been evaluated and is found to be handicapped, but is still excluded from school?

a. Request tuition to send your child to a private school, see pages 16-17, HOW TO GET TUITION (REIMBURSEMENT) TO SEND YOUR CHILD TO A PRIVATE SCHOOL.

b. You can try steps a, b, c, in #1 above.

3. If your child is eligible for special education, and has not been placed in a special education classroom or program?

a. You can request help from the County Special Education Advisory Committee. Call Dr. Thomas Fengman, Executive Secretary at 321-7620.

b. If you still need help, call or write Mr. David Donald, State Director of Special Education.

If you have tried all of the above and you believe your child is not yet receiving the special education services he needs, you may appeal to the courts. The Co-Ordinating Council will help you find free legal help.

YOUR OTHER RIGHTS

In addition to rights granted by law - you have other rights which are not clearly spelled out in

the law, but which are accepted practice or just common sense.

1. You have the right to be informed about the School Board's evaluation of your child - and their plans for him.

2. The Code of Ethics of the American Psychological Association requires that the psychologist inform you of his evaluation of your child, and the purpose for which it will be used (1).

3. You have the right to request to talk to the psychologist.

4. You also have the right to select a qualified psychologist or other specialist of your own choice, either from a public agency or in private practice.

CHILDREN WHO ATTEND PAROCHIAL OR OTHER PRIVATE SCHOOLS

If your child attends a parochial school or other private school, he is still eligible for some form of special education services.

He does not have to attend a public school to obtain the services of the public school psychologist and speech correctionist. However, in order to get classroom benefits, your child has to be enrolled in the public schools.

INDIVIDUAL CARE GRANTS FOR RETARDED CHILDREN IN RESIDENTIAL FACILITIES (for Illinois residents only)

The Individual Care Grant Program provides financial assistance to families of retarded children for cost of care in a licensed private residential facility - up to $400 per month.

TO BE ELIGIBLE:

1. Your child's name must be placed on the waiting list of a state institution.

2. You must meet income requirements.

3. Your child must be placed in a licensed private residential facility in Illinois or out of state. The facility can be:

   a. residential school
   b. shelter care home
   c. nursing home
   d. foster home
   e. group care home
   f. private hospital
   g. child care institution

4. Your child must not be receiving public aid or military medical benefits. He may, however, receive the following, which will be deducted from the amount of Individual Care Grant benefits received:

   a. social security benefits
   b. veterans' benefits
   c. railroad retirement funds

TO APPLY:

1. Place your child's name on the waiting list of a state institution. Forms may be obtained from your local DMH facility, or by writing to:

   Individual Care Grant Director
   Department of Mental Health
   Division of Mental Retardation Services
   401 South Spring Street
   Springfield, Illinois 62706

2. Apply for the Individual Care Grant at your local DMH facility. For Chicago residents:
   Illinois Pediatric Institute
   1640 W. Roosevelt Road
   341-8000

or write to the Springfield address above.

THE AMOUNT OF THE INDIVIDUAL CARE GRANT WILL BE DETERMINED BY:

1. Your family income.

2. The retarded's estate and other assets.

Maximum Grant is $400 per month.

THE INDIVIDUAL CARE GRANT WILL BE PAID TO THE PRIVATE FACILITY IN WHICH THE CHILD IS PLACED.

YOUR INDIVIDUAL CARE GRANT WILL BE TERMINATED IF:

1. Your income rises above the maximum allowed for family liability.

2. The retarded's estate and assets become sufficient to cover all cost of the facility.

3. You turn down a placement in a state institution.

4. The residential facility in which your child is placed loses its license or the level of care becomes unacceptable to the Department of Mental Health.

For further information please call or write your local DMH facility (listed alphabetically in your phone book under Illinois) or:

Individual Care Grant Director
Department of Mental Health
Division of Mental Retardation Services
401 South Spring Street
Springfield, Illinois 62706

VOCATIONAL REHABILITATION AND TRAINING FOR THE DISABLED - PROVIDED BY THE DIVISION OF VOCATIONAL REHABILITATION (DVR) (available on a national basis)

TO BE ELIGIBLE:

1. You must have a mental or physical disability which prevents you from earning a living at a job suited to your skills.

2. You must have employment potential in suitable work.

TO APPLY:

Go to your local DVR Office (listed in your phone book alphabetically under Illinois - State of).

Chicago Office: 160 N. LaSalle, Chicago 60601
Phone: 793-2934

State Office: 623 E. Adams St., Springfield, Illinois 62706

YOU WILL RECEIVE:

1. Medical Examination - to determine the extent of your disability, suitability for employment, and medical help needed.
(Provided at no cost to you.)

2. Tests - to determine your employment potential and the kind of employment best suited to your skills.
(Provided at no cost to you.)

3. Medical Help - to improve or restore your job performance by removing or reducing your disability. This help will include:

a. medical services
b. surgical services
c. psychiatric services
d. hospital services
e. artificial limbs
f. braces
g. hearing devices
h. eye glasses

(Provided at no cost to those unable to pay.)

4. Counseling and Guidance - to help you find a job suited to your abilities.

5. Job Training in a:

   a. trade school
   b. institution of higher learning
   c. rehabilitation center
   d. in your home

(Provided at no cost to you.)

6. Financial Assistance (while preparing for work) for:

   a. room and board
   b. transportation
   c. other necessary assistance

7. On the Job Help, if needed.

For more information, please call your local DVR Office, Chicago phone No. 793-2934

*Adapted and prepared from DVR materials.

PUBLIC AID FOR HANDICAPPED PERSONS OVER 21
(Available for Illinois residents only)

During its 1968-1969 session, the Illinois State Legislature passed HB 2783, which provides public aid for physically and mentally handicapped persons over 21 who are permanently disabled. This new law states that permanently disabled persons over 21 are no longer the financial responsibility of their parents; that they may receive public aid in their own right - regardless of the income of their parents.

TO BE ELIGIBLE:...

...You must be:

1. over 21 years old

2. permanently disabled
3. prevented by your mental or physical disability from gainful employment.

...You can live:

1. in your own home
2. in the home of your parents
3. in the home of a friend, relative, or someone else
4. in a state licensed hospital
5. in a state licensed nursing home
6. in a state licensed shelter care home
7. other private residential facilities which have met all requirements of the Department of Public Aid - and are not already receiving assistance from other state or federal agencies.

...You will not lose your benefits if you:

1. are part of a workshop
2. participate in a vocational training program
3. earn up to $50 a month (if you earn more, your benefits will probably be reduced)
4. have assets worth up to $400 if you are single, $600 if you are married. These assets do not include personal property such as clothing, household furnishings, etc... But they do include loan value of insurance policies, real estate (stocks and bonds).

YOU ARE NOT ELIGIBLE...

...if you are receiving an Individual Care Grant or any other government-funded grants.

TO APPLY:

Go to your local Public Aid Office. Public Aid Offices are listed in your phone book under Cook County and your own county's name.

Chicago area offices are listed on p. 318 of the

1972 Chicago phone book. Please call 368-1551 for address of your local Public Aid Office.

AMOUNT OF PAYMENTS WILL BE DETERMINED BY:

1. income and living expenses
2. contributions
3. other financial resources

Payments are not determined in any way by the income of the disabled person's parents.

MEDICAL CARE

You will receive medical care under the Medical Assistance Program. The cost for most medical services is paid directly to those providing the services.

IF YOU ARE TURNED DOWN FOR PUBLIC AID...

...you can appeal to:

1. Director, Department of Public Aid, State Office Building, Springfield, Ill. 62706.

2. You can also appeal if:

   a. you are not receiving the amount you feel you are entitled to.

   b. your payments have been reduced or discontinued without cause.

   c. your application has been pending - without action - for more than 30 days.

Appeals can be made without cost, on forms obtained from the County Department of Public Aid. A hearing will be held, conducted by a state hearing officer, in the county where you live. You can explain your case at the hearing and introduce witnesses and other persons to help you.

FOR MORE INFORMATION, please call your local Public Aid Office. Chicago area phone no. is 386-1551.

SOCIAL SECURITY BENEFITS FOR HANDICAPPED CHILDREN AND ADULTS (available on a national basis)

Two kinds of social security benefits are available for the handicapped:

1. benefits for those disabled since childhood - available through the social security of their parents.

2. benefits for those disabled as adults - available through their own social security.

BENEFITS FOR THOSE DISABLED SINCE CHILDHOOD

TO BE ELIGIBLE:

1. A worker parent must be eligible for social security benefits - either through retirement, disability, or death of working spouse.

2. They must have become disabled before their 18th birthday - and have remained disabled since then.

3. Their disability must be so severe it prevents them from doing any substantial work for pay.

4. They must be single when payments start (benefits generally stop after marriage, but there are exceptions).

Benefits will continue as long as they are disabled, and meet the above requirements. If the disability is permanent, benefits will last a lifetime, and will continue after the parents' death. Unlike benefits for non-handicapped children, benefits will not be terminated at the age of 18 (or 22 for those attending school full time).

TO APPLY:

1. Applicants must go to their local social security office.

Addresses and phone numbers are listed in the phone book under UNITED STATES GOVERNMENT Health, Education, and Welfare.

Metropolitan Chicago General Information Phone No. is 239-7000.

2. Applicants will need:

   a. sources of medical evidence that their disability is permanent and too severe for gainful employment.

   b. sources of evidence that the disability began before 18 years of age.

   c. proof of age (birth certificate).

   d. proof of the relationship of the disabled to his parents (marriage certificate, birth certificate, etc...).

   e. proof of the relationship of the disabled to his parents if the child is adopted or a step-child (adoption papers, etc...).

APPLICANTS MUST RE-APPLY...

...at least 3 months before the child's 18th birthday to avoid interruption of payments (payments for non-handicapped children automatically stop at 18).

DISABLED OVER AGE 18 WHO HAVE NOT APPLIED...

...should still apply for social security benefits. Back payments will be made up to 1 year.

THE AMOUNT OF BENEFITS WILL BE DETERMINED BY...

...average earnings of eligible parent during his working period.

BENEFITS WILL PAID TO:

1. Disabled person if he is able to handle money.

2. His parents, if disabled is unable to handle the money.

3. Guardian or social welfare agency - if disabled person is unable to handle money and his parents are dead.

BENEFITS FOR MOTHERS!

Additional benefits will be paid to the mother if the handicapped person is in her care. Amount will be similar to the amount the child receives.

Benefits will not be paid to the mother if the child lives in an institution, residential school, sheltered care home, nursing home, or elsewhere.

BENEFITS FOR THOSE DISABLED AS ADULTS

TO BE ELIGIBLE:

1. They must have worked under social security for at least 5 years - or 20 calendar quarters if over 31 years old. The 20 calendar quarters need not be consecutive, but must fall within a 10 year period. Working requirement will be less if under 31 years old.

2. They must be disabled for at least 6 months. Payments will be paid from the 7th month of disability.

3. The disability must be expected to last at least 1 year.

4. They must be so severely disabled - physically or mentally - as to prevent "any substantial gainful activity".

TO APPLY:

1. Applicants must go to their local social

security office.

2. They will need:

   a. sources of medical evidence from doctors, hospitals, and other places indicating that their disability is permanent and too severe to permit gainful employment.

   b. proof of age (birth certificate).

VOCATIONAL REHABILITATION AND TRAINING

Names of all applicants for social security are forwarded to a Vocational Rehabilitation Agency for evaluation and possible vocational counseling, vocational training and help in finding employment.

(See VOCATIONAL REHABILITATION AND TRAINING pp 21, 22, 23, for more information.)

EXAMPLES OF DISABLING CONDITIONS WHICH QUALIFY FOR SOCIAL SECURITY:

1. Loss of major function of both arms, both legs, or a leg and an arm.

2. Progressive diseases which have resulted in the loss of a leg or which have caused it to become useless.

3. Severe arthritis which causes recurrent inflammation, pain, swelling, and deformity in major joints so that the ability to get about or use the hands has been severely limited.

4. Diseases of heart, lungs, or blood vessels which have resulted in serious loss of heart or lung reserve as shown by X-ray, electrocardiogram, or other tests; and, in spite of medical treatment, there is breathlessness, pain, or fatigue.

5. Diseases of the digestive system which result in severe malnutrition, weakness, and anemia.

6. Serious loss of function of the kidneys.

7. Cancer which is progressive and has not been controlled or cured.

8. Damage to the brain or brain abnormality, which has resulted in severe loss of judgment, intellect, orientation, or memory.

9. Mental illness resulting in marked constriction of activities and interests, deterioration in personal habits, and seriously impaired ability to get along with other people.

10. Total inability to speak.

IF THE DISABLED PERSON IMPROVES OR RETURNS TO WORK...

...he is required by law to inform his local Social Security Office - by mail, or in person.

1. If medical evidence shows disability no longer exists, benefits will continue for a 5-month adjustment period, then will be stopped.

2. If he returns to work despite his handicapping condition, benefits will continue for a 12-month trial period - then will be stopped.

IF AN APPLICATION IS DENIED:

1. It does not mean the applicant is not eligible for other social security benefits, which are not connected with disability.

2. He may appeal the decision to:

   a. his local Social Security Office, for reconsideration.

   b. the hearing examiner of the Social Security Administration.

   c. the Appeals Council of the Social Security Administration.

d. the Federal Courts if a & b above are unsuccessful.

PLEASE NOTE:

Rules and policies governing Social Security may differ from other government agencies, private agencies, or private companies. Applicants found eligible for other government disability programs, or for private programs, may not be eligible for Social Security.

For more information, please call your local Social Security Office, Chicago phone No. 239-7000.

*Adapted and prepared from material by HEW, Social Security Administration.

FACTS YOU SHOULD KNOW ABOUT TAX DEDUCTIONS FOR YOUR HANDICAPPED CHILD(available on a national basis)

IF YOUR HANDICAPPED CHILD ATTENDS A SPECIAL SCHOOL OR INSTITUTION WHICH ALLEVIATES HIS MENTAL OR PHYSICAL CONDITION...

...you may deduct the following as "medical" expenses.

1. Tuition costs
2. Cost of board and room
3. Cost of sheltered workshop

(Revenue Rulings 58-280 and 71-347)

IF YOUR HANDICAPPED CHILD LIVES AT HOME...

...you may deduct as "medical" expenses the cost of:

1. Special school - if the principal purpose is to alleviate his handicap.
2. Tests and evaluations.
3. Special instruction or training - such as lip

reading, speech instruction, braille...(Revenue Rulings 68-212, 58-533, 1958-2CB 108).

4. All medical expenses, even though the child has earned more than $750 annual income. (Section 213-1 (e) IRS Code 1954)

IF YOUR HANDICAPPED CHILD ATTENDS A SHELTERED WORKSHOP...

...you may deduct as "medical" expense the cost of the workshop - if the primary purpose is to alleviate his handicap. (Letter from Mortimer M. Caplin, U.S. Commissioner of Internal Revenue to Dr. Stafford L. Warren, Special Assistant to the President for Mental Retardation, July 6, 1964.)

IF YOU INCUR TRANSPORTATION COSTS (TRAIN FARE, BUS FARE, TAXI FARE) WITH YOUR HANDICAPPED CHILD...

...you may deduct them as "medical" expenses if they are incurred going to and from:

1. Special schools and institutions.
2. Hospitals
3. Doctor's offices

(R.T.Olson 23TCM-2008)

IF YOU PROVIDE THE TRANSPORATION YOURSELF...

...you may deduct as "medical" expenses:

1. 7.5¢ per mile
2. parking fees
3. toll fees

(Rev. Proc. 64-15, I.R.B.: 1964-9,34)

IF YOU VISIT YOUR HANDICAPPED CHILD AT A SPECIAL SCHOOL OR INSTITUTION...

...you may deduct transporation costs as "medical" expense - but not meals and lodging - if medical

experts deem your visit a necessary part of treatment.

IF YOU ARE DIVORCED, WIDOWED, OR THE SPOUSE OF A DISABLED PERSON...

...you may deduct as "child care" expense: hired help for your handicapped child under 14 years of age. Maximum deduction is $4,800 a year. Home Child Care Expenses cannot also be claimed as "medical" expenses.

SPECIAL DEDUCTIONS

1. Medical Insurance Premiums: one half of medical insurance premiums are deductible, up to $150. There is no percentage limitations on this item (see #1 in Box below).

2. Cost of (including installation) special equipment to alleviate a child's handicap. Examples: elevators for heart cases, air conditioning for asthma cases...Medical experts must deem it necessary to alleviate the child's handicap. This deduction is allowed to the extent that it exceeds the improved value of your property. Example: if air conditioning your home improves the value of your home by $7000 and the actual cost is $1000, you are allowed to deduct the difference of $300. If the special equipment does not increase the value of your home, you are allowed to deduct the entire cost.

PLEASE NOTE:

1. All deductions must exceed 3% of your total income.
2. All deductions are allowed regardless of your child's age.
3. You are still allowed the full $750 - whether or not your child attends a special school or

institution. For tax purposes, the cost of tuition, room and board is considered a scholarship and is not taken into account in determining whether parents have provided more than half the child's support.

4. Parents who are eligible for the above deductions, who have not filed them previously, may file an amended return, retroactive for the past three years. This year's return must be filed before April 15 to allow 1968 deductions.

FOR MORE INFORMATION PLEASE CALL
INTERNAL REVENUE INFORMATION SERVICE
641-1040

CO-ORDINATING COUNCIL FOR HANDICAPPED CHILDREN

The Co-Ordinating Council for Handicapped Children is a coalition of parent and professional organizations concerned with the special needs of all handicapped children.

The long range goal of the Council is to obtain better services for all handicapped children at the earliest possible age. Immediate goals of the Council are: to obtain full and meaningful implementation of the special education legislation described in this booklet; to provide means through which parent organizations can communicate with each other and help each other; to provide direct means through which parents can obtain services for their children from public and private agencies; to educate the public in the need for better services for all handicapped children.

WHAT CAN YOU DO TO HELP THE COUNCIL REACH ITS GOALS - AND HELP YOUR CHILD?

1. Join and become active in a parents' group, professional group or citizens' group whose goal is to obtain better services for all handicapped children.

2. Persuade your group to join the Council - if it is not already a member.

3. Organize a parents' group, professional group or citizens' group - and have the group become part of the Council.

4. Contribute financial and moral support to further the work of the Council.

5. Refer parents you come in contact with to the Co-Ordinating Council and its participating and member organizations.

6. Join the Co-Ordinating Council as an individual or family ($5 per year). You will receive a monthly newsletter informing you of activities, legislation, new services, etc...for handicapped children.

REFERENCES

Sources for all the information used to write this booklet are listed for your information and for the information of those you may come in contact with while trying to obtain services for your child.

If anyone employed by a private or public agency is not fully informed, you may quote them what you learned in this booklet, along with the source. You may also simply show them this booklet.

For practical purposes, we have listed the School Code and the Rules and Regulations only once. Additional references to those same two sources are listed as "meaning the same as above". Shown as (").

1. American Psychologist, January, 1963, Principals 7, 8.

2. R. P. Mackie and L. M. Dunne, "College and University Programs for the "Preparation of Teachers of Exceptional Children", Bulletin

No. 13, U. S. Office of Education, Washington, D. C., 1954, p.3.

3. Memorandum, April 4, 1969, Office of the Superintendent of Public Instruction, From: David W. Donald, Director of the Illinois Department of Special Education, To: County Superintendent of Schools, Superintendent of Schools, Directors of Special Education, Directors of Private Schools for Handicapped Children. Subject: Section 14 7.02 of the School Code of Illinois, "Children Attending Private Schools or Private Special Education Facilities."

4. Rules and Regulations of Special Education, Office of the Superintendent of Public Instruction, Special Education Publication 564, February,1965, Article 1, A.

5.	" Art. I,	C	24.	" Art. VI,	A
6.	" Art. I,	D	25.	" Art. VI,	C
7.	" Art. I,	E	26.	" Art. VII,	A
8.	" Art. I,	F	27.	" Art. VII,	D
9.	" Art. II,	A,C,E	28.	" Art. VII,	E
10.	" Art. II,	F	29.	" Art. VII,	F
11.	" Art. II,	M	30.	" Art. VIII,	A
12.	" Art. III,	A	31.	" Art. VIII,	C
13.	" Art. III,	C	32.	" Art. VIII,	F
14.	" Art. III,	D	33.	" Art. IX,	A
15.	" Art. III,	F	34.	" Art. IX,	C
16.	" Art. IV,	A	35.	" Art. IX,	F
17.	" Art. IV,	D	36.	" Art. X,	A
18.	" Art. IV,	F	37.	" Art. X,	G
19.	" Art. IV,	A & D	38.	" Art. XI,	A
20.	" Art. V,	A	39.	" Art. XI,	D
21.	" Art. V,	D	40.	" Art. XI,	E
22.	" Art. V,	A & D	41.	" Art. XI,	F
23.	" Art. V,	F	42.	" Art. XII,	F & H

43. The School Code, Section 14-4.01
44. " " " " 14-7.02
45. " " " " 14-8.01
46. " " " " 17-2.2a

47. Progress Report, Special Education Programs and Services to Handicapped Children, James F. Redmond, General Superintendent of Schools, June 26, 1968 and December 1967.

OTHER COUNCIL PUBLICATIONS

"YOUR GUIDE TO SERVICES FOR HANDICAPPED CHILDREN"

Price: $1.50 per copy plus 18¢ postage

A spiral bound, 220-page book with over 400 listings of Chicago area (including suburbs) facilities for all categories of handicapped children.

LISTINGS INCLUDE:

- Private Schools
- Camps
- Mental Health Centers
- Evaluation Centers
- Clinics
- Parent Groups
- State Institutions
- Private Agencies
- Public Agencies

"HOW TO ORGANIZE AN EFFECTIVE PARENT GROUP AND MOVE BUREAUCRACIES"

Price: $1.50 per copy plus 18¢ postage

A 112-page manual telling parents of handicapped children and their helpers:

- How to Start a Parent Group
- How to Get By-Laws, a State Charter, and Tax Exempt Status
- How to Affiliate with Other Organizations
- How to Move Bureaucracies
- How to Open Their Own School and Get Funding for It
- How to Open a Special Classroom in the Public Schools
- How to Lobby and Get Results
- The Role Professionals, Handicapped Adults, and Students Should Play in Their Parent Group
- How to Pick Effective Leaders
- How to Raise Money
- How to Make Headlines
- How to Organize a Coalition
- How to Keep Their Parent Group from Death's Door